



CITY OF SUNNYVALE REPORT Administrative Hearing

October 26, 2005

SUBJECT: **2005-0934 – James L. Peterson** [Applicant] **Sunnyvale Presbyterian Church** [Owner]: Application on a 6-acre site located at **728 West Fremont Avenue** (near Hollenbeck Avenue) in a P-F (Public Facility) Zoning District.

Motion Use Permit to allow a 1,425 square foot manufactured home for a resident caretaker at an existing church.

REPORT IN BRIEF

Existing Site Conditions Church (across Fremont Avenue)

Surrounding Land Uses

North Multi-Family Residential

South Church

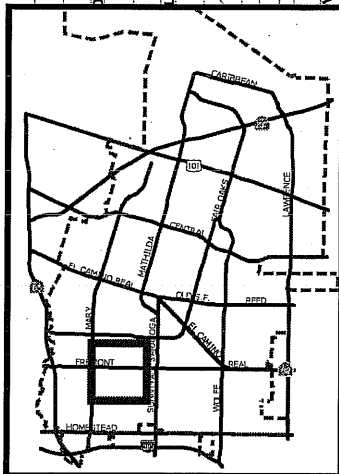
East Retail, Office and Single Family Residential across Hollenbeck Avenue

West Single Family Residential

Issues Aesthetics

Environmental Status A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approve with Conditions



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Parks	Same	Parks
Zoning District	PF	Same	PF
Lot Size (s.f.)	260,488	Same	No min.
Gross Floor Area (s.f.)	48,979	Same	No max.
Gross Floor Area of Mobile Home	1,425	Same	No max.
Lot Coverage (%)	18%	18%	40% max.
Floor Area Ratio (FAR)	19%	19%	No max.
No. of Buildings On- Site	11	11	By Use Permit
Building Height (ft.)	49' (church) 12' (mobile home)	Same'	30 max.
No. of Stories	2 (church) 1 (mobile home)	Same	2 max.
Setbacks to the Caretaker Residence (Facing Property)			
Front	45'	Same	20' min.
Left Side	50'	Same	6' min. (15' combined)
Right Side	75'	Same	6' min. (15' combined)
Rear	498'	Same	20 min.
Landscaping (sq. ft.)			
Total Landscaping	106,077	Same	52, 098min.
Frontage Width (ft.)	15	Same	15 ft. min.
Parking			
Total Spaces	300	Same	Approved by Variance (1991-0154)
Standard Spaces	280	Same	187 min.



	EXISTING	PROPOSED	REQUIRED/ PERMITTED
Compact Spaces/ % of Total	20 / 7%	Same	105/35% max.
Accessible Spaces	12	Same	8 min.



Starred items indicate deviations from Sunnyvale Municipal Code requirements.

ANALYSIS

Description of Proposed Project

A mobile home has been located on the site for over 27 years. The proposal for a Use Permit would allow the structure to be located at the site for a permanent basis. The mobile home is occupied by a caretaker who is responsible for the maintenance and security of the church/school facility.

Background

Previous Actions on the Site: The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing/Decision	Date
2004-0006	Miscellaneous Plan Permit for Caretaker Residence	Staff / Approved	3/30/04
2001-0091	Miscellaneous Plan Permit for Caretaker Residence	Staff / Approved	2/27/01
2000-0023	Miscellaneous Plan Permit for Caretaker Residence	Staff / Approved	1/26/00
1999-0963	Use Permit to allow private memorial garden for interment of human ashes	Administrative Hearing/ Approved	9/29/99
1999-0181	Miscellaneous Plan Permit for Caretaker Residence	Staff / Approved	1/27/99
1998-0060	Miscellaneous Plan Permit for Caretaker Residence	Staff / Approved	02/03/97

File Number	Brief Description	Hearing/Decision	Date
1991-0295	Miscellaneous Plan Permit for Caretaker Residence	Staff / Approved	07/24/91
1991-0154	Variance - Parking	Administrative Hearing / Approved	05/29/91
1981-0334	Use Permit - Trailer as Living Quarters	Planning Commission / Approved	09/28/81 07/14/80 07/10/78
1966-0183	Miscellaneous Plan Permit - Classrooms, fellowship hall, office buildings	Staff / Approved	04/11/66
1962-0031	Variance - Building Height	Planning Commission / Approved	09/24/62
1962-0030	Use Permit - Construct Sanctuary	Planning Commission / Approved	09/24/62

The original approval allowed the mobile home for a period of two years with the requirement to renew the permit on one year increments if proposed. At the time, a multi-purpose building was also under review at the site. Although staff recommended incorporation of a residential use within the project initially, final Planning Commission approval allowed the new construction without this component. Through the approval of a Miscellaneous Plan Permit, the use has been allowed on an annual basis at the site.

The mobile home no longer has the appearance of a temporary use. Improvements to the structure have been made over the years that include a foundation, an exterior wood siding material and shingle roofing. Also, enhancements have been made to the entry of the home. Subsequent conditions of approval with approved Miscellaneous Plan Permits have required landscaping and general maintenance of the structure. The most recent approval required re-painting of the residence

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemptions include small accessory structures.

Use Permit

Site Layout: The property is located at the corner of West Fremont and Hollenbeck Avenue. The existing mobile home is positioned towards the Hollenbeck frontage of the site. The structure is set back approximately 45 feet. Classroom buildings are located adjacent and behind the mobile home. A sanctuary is located at the north end of the site facing West Fremont Avenue. A Fellowship Hall and outdoor plaza area is also located at the center of the site. Additional office and administrative buildings are located within the site. A site and floor plan is located in Attachment C.

City-Wide Design Guidelines Site Design	Comments
Policy 1.A1: <i>New projects shall be compatible with their surrounding development in intensity, setbacks, building forms, material, color, and landscaping.</i>	The structure utilizes similar design materials, and color as other buildings on site.

Architecture: The architecture of the mobile home has been modified over the years. Originally, the structure appeared temporary in appearance. As noted in the "Background" section of the report, modifications to the structure have enabled the residence to appear more compatible with the surrounding buildings of the site. Wood siding and shingle roof material have been added to the home. A modified entryway feature has also mitigated the temporary nature of the original mobile home.

Landscaping: The proposed project would not modify the landscaping of the site. Currently, the site has adequate landscaping dispersed throughout the site including the rear parking area. A larger landscaped area lies in front of the sanctuary building along West Fremont Avenue. Significant landscaping is located near the mobile home which partially obstructs the view of the structure from the public street. Staff has included conditions of approval that require continued maintenance of landscaping on-site.

Parking/Circulation: The church facility contains a total of 300 parking spaces located predominantly at the west end of the property. A parking area is also located near the Hollenbeck entrance of the site near the mobile home. An access drive located along the south portion of the lot connects the two parking areas. A Variance application for the site was approved in 1991 that enabled shared parking based on peak parking demands for the various uses of the site. The permit accounted for two spaces for the caretaker residence. This application does not increase parking demand for the site.

Compliance with Development Standards/Guidelines: The proposed project complies with most standards for churches in the Public Facility Zoning District with the exception of parking. As noted previously, a Variance for

parking was approved in 1991 and from height requirements in 1962. The caretaker residence, although only permitted on an interim basis, was considered when evaluating parking requirements for the Variance approval. The proposed Use Permit does not further decrease the non-conformity of the use for the site.

Expected Impact on the Surroundings: Any additional perceived impacts from the living unit on the church site should be minimal as it has existed at the site for over 25 years. The approval of the residence will not cause and increased traffic impacts. The building is compatible architecturally with surrounding classroom/office buildings and is adequately screened by existing landscaping of the site.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Staff has not received any comments from the public related to this proposal.

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• 24 notices mailed to property owners and residents adjacent to the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website• Recorded for SunDial

Conclusion

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Use Permit. Findings and General Plan Goals are located in Attachment A.

Conditions of Approval: Conditions of Approval are located in Attachment B.


Alternatives

1. Approve the Use Permit with the attached conditions.
2. Approve the Use Permit with modified conditions.
3. Deny the Use Permit.

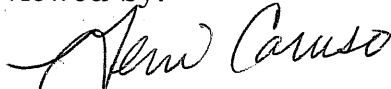
Recommendation

Alternative 1

Prepared by:


for Ryan M. Kuchenig
Project Planner

Reviewed by:


Gerri Caruso
Principal Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Letter and Justifications from the Applicant
- E. Site Photos Provided by the Applicant

Recommended Findings - Use Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Action Statement - N1.1.1 – *Limit the intrusion of incompatible uses and inappropriate development into city neighborhoods.*

Land Use and Transportation Action Statement - N1.14.3 - *Encourage multiple uses of some facilities (e.g. religious institutions, schools, social organizations, day care) within the capacity of the land and the roadway system.*

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project provides a permanent and valuable use for the site. In order to ensure maintenance and security for the church and school site, a permanent on-site caretaker residence is necessary. Improvements to the site have been made to ensure that the structure blends in with nearby buildings and is not considered an eyesore to the surrounding residential neighborhood.
2. The proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the Zoning District because the design of the home incorporates elements of nearby buildings. Enhancements to the structure have been made to the structure so that it appears more permanent and compatible with the site. Existing landscaping also mitigates possible impacts from the public street. The use has occurred at the site for approximately 27 years without any significant impact to the surrounding neighborhood.

Recommended Conditions of Approval - Use Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development, major changes may be approved at a public hearing.
- B. Any major site and architectural plan modifications shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing except that minor changes of the approved plans may be approved by staff level by the Director of Community Development.
- C. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- D. The Use Permit for the use shall expire if the use is discontinued for a period of one year or more.
- E. The Use Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- F. Individual air conditioning units shall be screened with architecture or landscaping features.
- G. All landscaping shall be maintained in a neat, clean, and healthful condition.
- H. Any modification or expansion of unenclosed uses shall require approval from the Director of Community Development.

2. FENCES

- A. Design and location of any proposed fencing and/or walls are subject to the review and approval by the Director of Community Development.

3. STORAGE

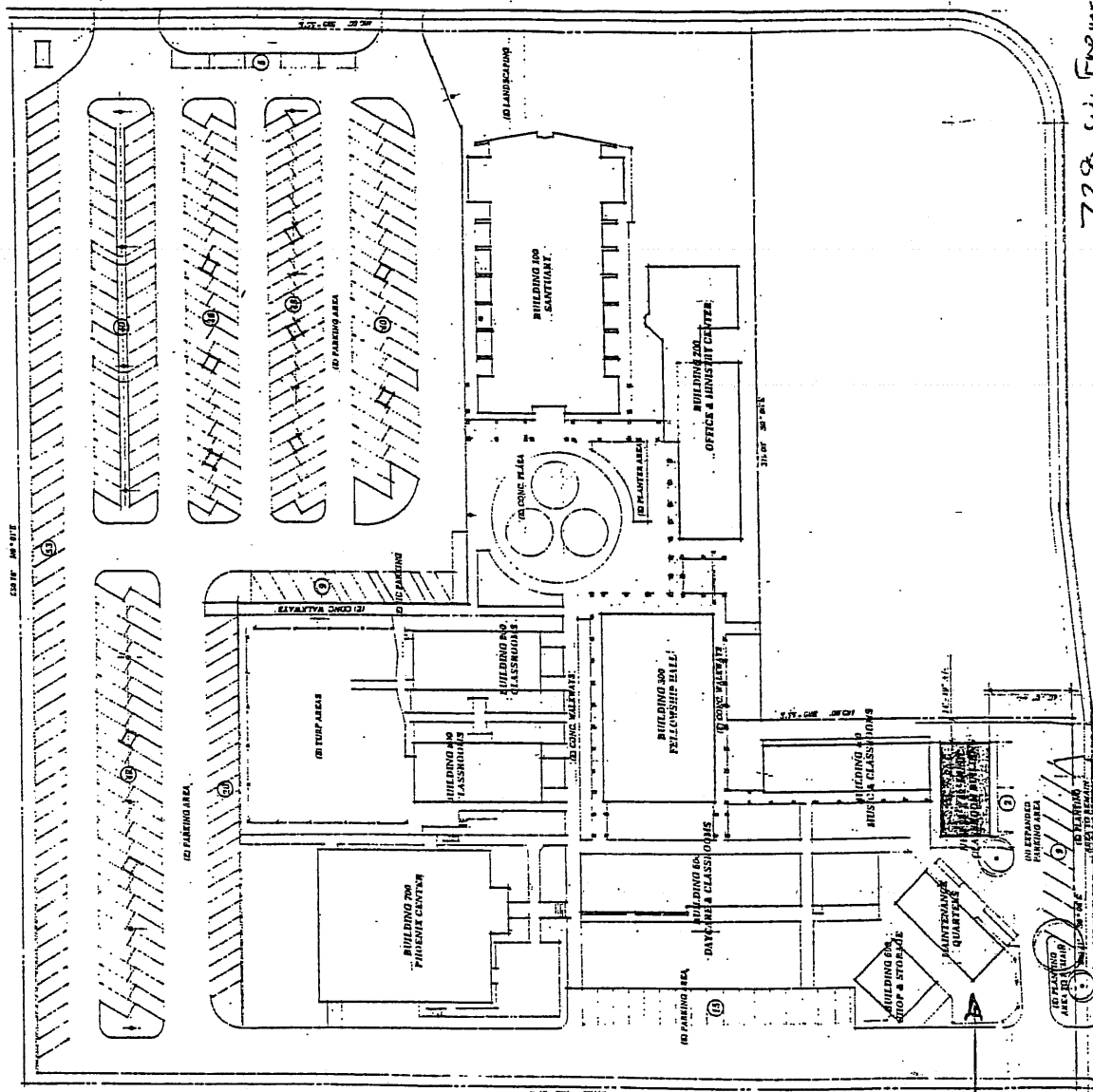
- A. Unenclosed storage of any vehicle shall be prohibited.
- B. All exterior trash shall be confined to approved receptacles and enclosures.

Presbyterian Church of Sunnyvale

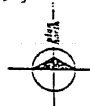
ATTACHMENT C

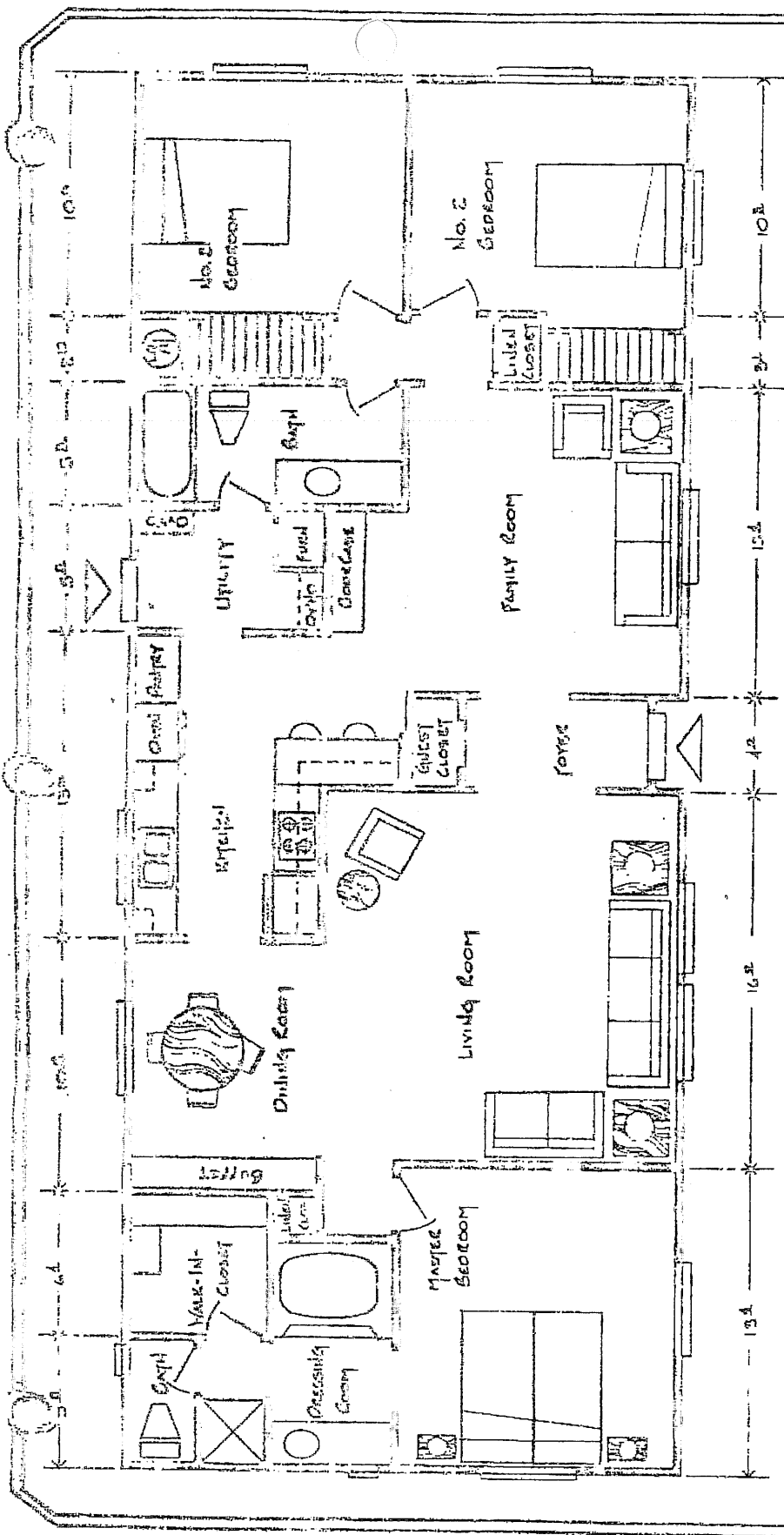
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728 W. Fremont Ave
Sunnyvale



Site Plan
1" = 30' - 0"





MODEL 3503D: 24' x 60'. This three bedroom home features a large master suite with a walk-in closet. Separate living and family rooms provide areas for relaxation to fit your mood. The front and rear arrangement with two full baths affords the maximum in convenience and privacy.

* all new copper pipe plumbing

* Lenox air conditioning

* Exterior repainted Aug. '64
of new rain gutters.



FLEETWOOD HOMES OF N. CALIFORNIA, INC.
18 North County Road 101 - P.O. Box 1308
Woodland, California 95695

Mobile Homes

MOBILE HOMES

3555 EL CAMINO REAL SANTA CLARA, CALIF.
PHONE 243-5501

Specifications are subject to change
Some items such as tires and
Printed in USA

Length indicated is floor length only. Add four (4) feet to arrive at overall length when hitch is included. Specifications are subject to change without notice. Pictures are representative of the product. Selected decorator items may or may not be included. Some items such as tires and axles may have been recycled after inspection for safety and appearance. All dimensions are nominal.

ATTACHMENT

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USE PERMIT PROJECT DESCRIPTION

Our request is to permit the continued placement and use of a mobile home on the property of the church.

This mobile home of 1425 square feet has been on the property for over 25 years. It is currently permitted under a Miscellaneous Plan permit that we submit annually. During this time the church one of our maintenance staff has lived in this mobile home. The presence of this staff person on the property is a great value to the church and neighborhood for security purposes as well as to the church for maintenance emergencies. Among other things, this person is the first line of call for our security alarm system operated by Sonitrol. Having this maintenance person on the property provides for rapid response in case of a call by Sonitrol and in case of calls to Sunnyvale Public Safety for fire or medical emergencies.

The mobile home is well kept, nicely landscaped, and blends in with the rest of the facilities. Most people who have been neighbors or church members are not even aware the building is a mobile home for our supervisor.

No changes to the placement, structure, or surrounding site are being requested as we move from a Miscellaneous Plan to a Use Permit. We will continue to use the mobile home as a residence for a church staff person providing security and maintenance values to the church and neighborhood as described above.

USE PERMIT JUSTIFICATIONS

The Municipal Code states that at least one of the following two justifications must be met before granting the Use Permit. Illustrating how your project meets at least one of the below criteria will assist the City in reviewing your proposal. Use this sheet or a separate sheet of paper to show how the proposed use:

1) attains the objectives and purposes of the General Plan of the City of Sunnyvale,

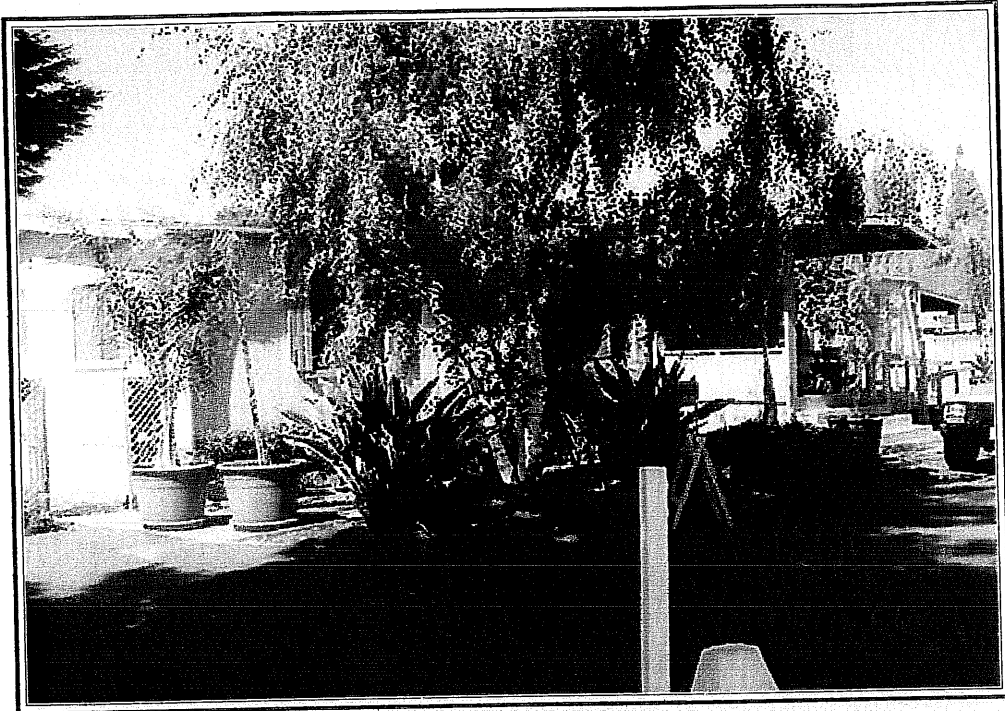
or --
X 2) is desirable and not materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the zoning district.

As indicated in the Project Description, having a maintenance staff person living on church property is highly desirable to the church and also desirable to the community from a security point of view. In addition, in case of maintenance emergencies that might affect the neighborhood (water line breaks, alarms sounding, drain backups, etc.) having a person living on site who can respond quickly is a plus for the church and community.

Moreover, because the mobile home is attractive, well landscaped, and blends in with the surroundings it is not a detriment to other uses in the immediate vicinity, and is actually an enhancement from a landscaping point of view. Two parking spaces for the use of the resident are provided. The closest other properties (Lima Funeral Home, and Resurrection Catholic Church) are not affected by the placement of the mobile home which, in any case, is not visible from the Lima property at all, and only visible from the back parking lot of the Resurrection Catholic Church. The mobile home is visible from the commercial properties and residences immediately across the street, but its placement does not affect the use of these properties in any way, and it is an attractive building with its landscaping.

If you need assistance in answering either of these justifications, contact the Planning Division staff at the One-Stop Permit Center.

FRONT VIEW



FRONT VIEW

